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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,623	06/18/2001	Pavitra Subramaniam	5306P016	4377

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EXAMINER

ALAUBAIDI, HAYTHIM J

ART UNIT PAPER NUMBER

2171

DATE MAILED: 12/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application N .	Applicant(s)	
	09/883,623	SUBRAMANIAM ET AL.	
	Examiner	Art Unit	
	Haythim J. Alaubaidi	2171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This communication is a <sup>Non-</sup>Final Action in regard to the current application NO. 09/883,623.
2. Claims 1-31 are presented for examination following the amendment of 30 September 2003,
3. Claim 31, was added by the Applicant and acknowledged by the Examiner.
4. Claims 1-31 are rejected under 35 USC § 103(a).

***Response to Arguments***

5. Applicant's arguments, filed 30 September 2003, with respect to the rejection(s) of claim(s) 1-31, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-31, are rejected under 35 U.S.C. 103(a) as being unpatentable by Michael Edward Moran (U.S. Patent No. 6,014,662 and Moran hereinafter) in view of Shingo Nishioka (U.S. Patent No. 6,446,065 and Nishioka hereinafter).

Regarding Claims 1, 10, 16 and 27, Moran discloses:

receiving search criteria entered by a user (Col 2, Lines 19-20; see also Col 5, Lines 8-14; see also Col 6, Lines 11-13, i.e. the system awaits 1302 the choosing of a category by the user)

searching a database for data record matching the search criteria (Col 5, Lines 41-45; see also Col 5, Lines 50-51; see also Col 6, Lines 13-14, i.e. a search is performed for the category)

generating search results (Col 6, Line 14-15, i.e. and the category is displayed 1304 in the book format; see also Col 3, Lines 56-59)

Moran reference discloses all of the claimed subject matter set forth above, except it does not explicitly indicate the keyword searching nor does it explicitly indicate the catching feature. However Nishioka discloses keyword searching (Col 2, Lines 16-21) and caching the search result (Col 2, Lines 38-55). Given the intended broad application of Moran's system, it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Moran with the teachings of Nishioka to include keyword searching as it is the most popular and the

most well known search for most of the users and to cache the search results in order to improve the search query (Col 2, Lines 38-39).

Regarding Claims 2, 17 and 22, Moran discloses receiving search category (Col 6, Lines 57-61).

Regarding Claims 3, 18, 23 and 31, Nishioka discloses refining search results (Abstract; see also Col 19, Lines 24-30)

Regarding Claim 4, Moran discloses passing the received search criteria to a virtual business component (Col 3, Lines 11-27; see also Col 6, Lines 24-30)<sup>1</sup>.

Regarding Claim 5, Moran discloses passing the received search criteria from the virtual business component to a search execution business service <sup>2</sup>, (Col 2, Lines 54-55), i.e.

FIG. 12 is a block diagram of a search engine in accordance with the present invention.

Regarding Claims 6 and 13, the limitations of these claims have been noted in the rejected claim No. 1, above. In addition Moran discloses using a search execution business service to search the database (Col 3, Lines 11-27).

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<sup>1</sup> The Examiner would like to bring the Applicant's attention to the reason why the citation of Col 3, Lines 11-27 were cited and it's connection to the meaning of the "Virtual Business Component", the Examiner is basing this reason to what is in the Specification of the instant application (please see Page 41, Lines 6-14, i.e. external data).

Regarding claims 7 and 14, the limitations of these claims are similar in scope to the rejected claim 1, above. They are therefore rejected as set forth above.

Regarding Claims 8, 19, 25 and 29 Moran discloses caching the search result until termination of a user session (Col 6, Lines 17-23), i.e.

The user can select a new category 1307 if the first selection was inappropriate, or has exhausted resources of a selected category 1309. Closing 1310 of the book to end 1311 the display or to select another book 1312 is a choice the user can make at any time during the process. Once a book has been closed, another book can be selected.

Regarding claims 9, 15, 20, 26 and 30, the limitations of this claim is similar in scope to the rejected claim 1, above. They are therefore rejected as set forth above.

Regarding claim 11, the limitations of this claim are similar in scope to the rejected claims 2 and 4, above. It is therefore rejected as set forth above.

Regarding claim 12, the limitations of this claim are similar in scope to the rejected claims 3 and 5, above. It is therefore rejected as set forth above.

Regarding claim 21, the limitations of this claim are similar in scope to the rejected claims 1 and 4, above. It is therefore rejected as set forth above.

Regarding claim 24, the limitations of this claim are similar in scope to the rejected claims 1 and 7, above. It is therefore rejected as set forth above.

Regarding claim 28, the limitations of this claim are similar in scope to the rejected claims 2 and 3, above. It is therefore rejected as set forth above.

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<sup>2</sup> Please note that the Examiner is interpreting the "search execution business service" as a Search Engine.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

***Points of Contact***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haythim J. Alaubaidi whose telephone number is (703) 305-1950. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any response to this office action should be mailed to:

The Commissioner of Patents and Trademarks, Washington, D.C. 20231 or telefax at our fax number (703) 872-9306.

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6<sup>th</sup> Floor Receptionist, Arlington, Virginia. 22202.

***Haythim J. Alaubaidi***

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Patent Examiner  
Technology Center 2100  
December 15, 2003

  
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TECHNOLOGY CENTER 2100